

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

TRUSTEES OF THE SHEET METAL )  
LOCAL 36 WELFARE FUND, et al., )  
Plaintiffs, )  
vs. ) Case No. 4:10 CV 325 RWS  
THE CURRAN COMPANY, )  
Defendant. )

**MEMORANDUM AND ORDER**

This is an action under Section 301 of the Labor Management Relations Act of 1947, as amended, 29 U.S.C. §185, and Section 502 of the Employee Retirement Income Security Act of 1974, as amended, 29 U.S.C. §1132 by Plaintiffs to enforce the terms of the Labor Agreement between Local 36 and the St. Louis Chapter Sheet Metal and Air Conditioning Contractors National Association (“SMACNA”).

On January 11, 2011, I entered partial default judgment against Defendant [#27] and ordered that Plaintiffs had judgment against Defendant for \$5,335.51 due under the parties Payment Agreement. Judgment was also entered against Defendant for an accounting and audit to determine the amount of contributions owed.

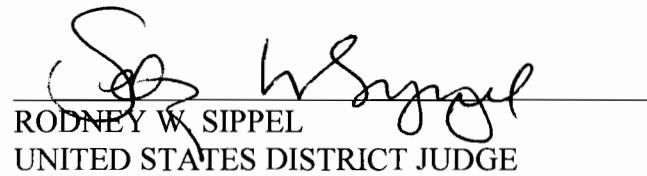
Plaintiffs have now determined that Defendant owes \$62,705.57 in unpaid contributions. In addition, pursuant to the collective bargaining agreement and ERISA, 29 U.S.C. § 1132(g)(2), Plaintiffs are owed \$21,725.25 in interest and \$12,541.04 in liquidated damages. The collective bargaining agreement and ERISA, 29 U.S.C. § 1132(g)(2), require Defendant to pay Plaintiffs' reasonable attorneys' fees, accounting fees, and costs. Plaintiffs incurred \$8,608.33 in

reasonable attorneys' fees and costs. The total amount owed by Defendant to Plaintiffs is \$110,915.70.

I have reviewed and carefully considered Plaintiff's pleadings and as a result:

**IT IS HEREBY ORDERED, ADJUDGED and DECREED that** Plaintiffs' motion for default judgment [#28] is **GRANTED** and judgment is entered in favor of Plaintiffs and against Defendant The Curran Company in the amount of \$110,915.70.

A separate Judgment will be entered in this matter.



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RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE

Dated this 18th day of January, 2011.